

REMARKS

Re-examination and favorable reconsideration in light of the foregoing amendments and the following comments are respectfully requested.

Claims 14 - 36 are pending in the application. Currently, all claims stand rejected.

By the present amendment, claims 14 - 36 have been cancelled without prejudice and new claims 37 - 64 have been added to the application.

In the office action mailed September 17, 2007, claims 14 - 36 were rejected under 35 U.S.C. 112, second paragraph as being indefinite; claims 17 - 20 were rejected under 35 U.S.C. 112, second paragraph as being indefinite; claims 31 to 33 were rejected under 35 U.S.C. 112, second paragraph as being indefinite; claim 36 was rejected under 35 U.S.C. 112, second paragraph as being indefinite; claim 36 was rejected under 35 U.S.C. 101; claims 14, 16, 17, and 35 were rejected under 35 U.S.C. 102(b) as being unpatentable over U.S. Patent No. 2,901,377; claims 14, 16, 19, 20, 24 - 26, and 29 - 32 were rejected under 35 U.S.C. 102(e) as being unpatentable over U.S. Patent Publication No. 2003/0127026, which is now U.S. Patent No. 6,858,074; claims 14 - 16, and 31 - 33 were rejected under 35 U.S.C. 102(b) as being unpatentable over U.S. Patent No. 5,584,926; claims 17, 18, 21 - 23, 27, and 28 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Publication No. 2003/0127026, now U.S. Patent No. 6,858,074; and claim 34 was rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,584,926 in view of Bentz et al.

The foregoing rejections are now moot in view of the cancellation of claims 14 - 36.

New main claim 37 relates to a process for restoring a mineralized substance in the dental field, which process comprises using a preparation as a tooth-restoration material.

None of the cited documents in the outstanding office action discloses a tooth restoration material formed using an aqueous liquid part and a solid part as described in claim 37. Indeed, none of the documents concern the dental field, or more specifically the restoration of a mineralized substance in the dental field. As a consequence, new claim 37 and dependent claims 38 - 64 are novel and unobvious over the cited and applied prior art documents.

The mixture obtained with the liquid part and the solid part of the invention as newly claimed has the following advantageous effects when it is used as a tooth restoration material: excellent biocompatibility (see page 7, lines 16 - 19); uniform mixture easy to implement (see page 7, lines 13 - 15); entirely satisfactory with regard to the anesthetic requirement owing to its whitish color (see page 8, lines 11 - 13); a setting time compatible with the handling time of the practitioner and obtained without the intervention or addition of any substance (see page 11, lines 8 - 14), and no shrinkage over time, resistance to compression, good adhesion to the dental tissue, non-solubility after setting, electrical and thermal insulation, hardness suitable for chewing, and simple and practical clinical handling (see page 11, lines 15 - 30). The present invention uses a very specific composition as compared with the large choice of compositions described in the cited and applied documents, and also relates to the use of this specific composition in the dental field wherein this use

provides many advantageous effects which are not obvious to those in the art.

The instant application is believed to be in condition for allowance. Such allowance is respectfully solicited.

Should the Examiner believe an additional amendment is needed to place the case in condition for allowance, the Examiner is hereby invited to contact Applicants' attorney at the telephone number listed below.

A request for a two month extension of time is enclosed herewith. Also enclosed is a check in the amount of \$560.00 to cover the extension of time fee and the extra claim fee.

If any additional fees are required in connection with this case, it is respectfully requested that they be charged to Deposit Account No. 02-0184.

Respectfully submitted,

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By 

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I, Karen M. Gill, hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313" on January 30, 2008.

